

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

|                     |   |                       |
|---------------------|---|-----------------------|
| ROBERT JAMES SWINT, | ) |                       |
|                     | ) |                       |
| Plaintiff,          | ) |                       |
| v.                  | ) | No. 2:24-cv-00238-JAW |
|                     | ) |                       |
| SAMSUNG, et al.,    | ) |                       |
|                     | ) |                       |
| Defendant.          | ) |                       |

**ORDER AFFIRMING RECOMMENDED DECISION, DISMISSING  
COMPLAINT, AND ISSUING “COK” WARNING**

The court affirms the dismissal of an incomprehensible complaint, notes that the plaintiff appears to have failed to maintain a current address with the court, and warns the litigant against further frivolous filings.

**I. BACKGROUND**

On July 1, 2024, Robert James Swint filed a complaint in this court against several Defendants, including Samsung, O-Ran, V-Ran, Motorola, Nokia, and Heaven, making incomprehensible allegations and demanding billions of dollars. *Compl.* (ECF No. 1). On July 2, 2024, the Magistrate Judge issued a recommended decision in which he recommended that the Court dismiss Mr. Swint’s complaint because of its “obvious frivolity” and warn Mr. Swint pursuant to *Cok v. Family Court of Rhode Island*, 985 F.2d 32, 34-35 (1st Cir. 1993) that further groundless filings could result in filing restrictions against him. *Recommended Dismissal* (ECF No. 3).

On July 1, 2024, the Clerk’s Office sent Mr. Swint the court’s notice to pro se litigants to the street address in Clatskanie, Oregon he listed in his initial filing, and on July 11, 2024, the Clerk’s Office letter was returned as undeliverable and unable

to forward. *Mail* (ECF No. 4). On July 11, 2024, the Clerk's Office resent the pro se notice to Mr. Swint at an alternative Post Office Box address found in the return address of his filing envelope. *See Compl.*, Attach. 1, *Envelope*.

On July 2, 2024, the Clerk's Office sent Mr. Swint a copy of the Magistrate Judge's recommended dismissal to the street address in Clatskanie, Oregon he listed in his initial filing, and on July 16, 2024, this letter was returned as undeliverable and unable to forward. *Mail* (ECF No. 5). Mr. Swint has not objected to the recommended dismissal. It is possible that the letters addressed to Mr. Swint's Post Office Box were delivered, but the Court cannot know because he failed to respond to the recommended dismissal.

The Court confirmed that Robert James Swint filed a civil action in this case on May 3, 2021, *Robert James Swint v. Liberty Mutual Insurance Co.*, No. 2:21-cv-00119-GZS, which was summarily dismissed upon recommended decision. The Court accepts the Magistrate Judge's determination that a PACER search reveals almost one hundred lawsuits under the name Robert James Swint in courts across the country.

## **II. DISCUSSION**

Mr. Swint failed to object to the Magistrate Judge's recommended dismissal; the Court **AFFIRMS** the recommended dismissal and **DISMISSES** Robert James Swint's complaint for failure to state a federal claim or otherwise assert a claim within the Court's jurisdiction.

Second, Mr. Swint has apparently failed to provide the court with a current address. Two of the Clerk's Office letters have been returned to the court as undeliverable. "A party's obligation to maintain a current address with a court does not rest with the court, the opposing party, or a third party. It rests solely with the party himself, in this case Mr. [Swint]." *Boulier v. Penobscot Cnty. Jail*, No. 1:21-cv-00080-JAW, 2022 U.S. Dist. LEXIS 39708, at \*10 (D. Me. Mar. 7, 2022). "A party, not the district court, bears the burden of keeping the court apprised of any changes in his mailing address." *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988).

Third, Mr. Swint's complaint is entirely incomprehensible, and he included "Heaven" as a Defendant. *Compl.* at 1-6. The federal court has serious constitutional and statutory obligations to resolve meritorious claims, and its duties cannot be diverted by addressing frivolous and indecipherable complaints. Based on the record before the Court, the Court warns Mr. Swint in accordance with *Cok* that further frivolous or incomprehensible filings could result in the imposition of filing restrictions against him in this court.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 5th day of August, 2024